

**DECLARATION AND POWER OF ATTORNEY FOR
UNITED STATES PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a United States patent is sought on the invention entitled

HUMAN SMN-LIKE PROTEIN

the specification of which:

 / is attached hereto.

 / X / was filed on May 15, 2000 as application Serial No. 09/571.078 and if this box contains an X / , was amended on _____.

 / was filed as Patent Cooperation Treaty international application No. _____ on _____, 2001, if this box contains an X / , was amended on under Patent Cooperation Treaty Article 19 on _____ 2001, and if this box contains an X / , was amended on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge my duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim the benefit under Title 35, United States Code, §119 or §365(a)-(b) of any foreign application(s) for patent or inventor's certificate indicated below and of any Patent Cooperation Treaty international applications(s) designating at least one country other than the United States indicated below and have also identified below any foreign application(s) for patent or inventor's certificate and Patent Cooperation Treaty international application(s) designating at least one country other than the United States for the same subject matter and having a filing date before that of the application for said subject matter the priority of which is claimed:

Country	Number	Filing Date	Priority Claimed
_____	_____	_____	// Yes // No
_____	_____	_____	// Yes // No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

Application Serial No.	Filed	Status (Pending, Abandoned, Patented)
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in said prior application(s) in the manner required by the first paragraph of Title 35, United States Code §112, I acknowledge my duty to disclose material information as defined in Title 37 Code of Federal Regulations, §1.56(a) which occurred between the filing date(s) of the prior application(s) and the national or Patent Cooperation Treaty international filing date of this application:

Application Serial No.	Filed	Status (Pending, Abandoned, Patented)
09/028,327	February 24, 1998	Patented

I hereby appoint the following:

Lucy J. Billings	Reg. No. 36,749
Michael C. Cerrone	Reg. No. 39,132
Diana Hamlet-Cox	Reg. No. 33,302
Richard C. Ekstrom	Reg. No. 37,027
Barrie D. Greene	Reg. No. 46,740
Lynn E. Murry	Reg. No. 42,918
Shirley A. Recipon	Reg. No. 47,016
Cathleen M. Rocco	Reg. No. 46,172
Susan K. Sather	Reg. No. 44,316
Michelle M. Stempien	Reg. No. 41,327
David G. Streeter	Reg. No. 43,168


respectively and individually, as my patent attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please address all communications to:

LEGAL DEPARTMENT
INCYTE GENOMICS, INC.
3160 PORTER DRIVE, PALO ALTO, CA 94304

TEL: 650-855-0555 FAX: 650-849-8886 or 650-845-4166

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**Sole Inventor or
First Joint Inventor:**

Full name: Y. Tom Tang
Signature: 
Date: Nov. 13, 2001
Citizenship: United States of America
Residence: San Jose, California
P.O. Address: 4230 Ranwick Court
San Jose, California 95118

Second Joint Inventor:

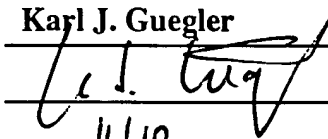
Full name: Neil C. Corley
Signature: _____
Date: _____, 2001
Citizenship: United States of America
Residence: Castro Valley, California
P.O. Address: 20426 Crow Creek Rd.
Castro Valley, California 94552

Third Joint Inventor:

Full name:

Karl J. Guegler

Signature:



Date:

11/10, 2001

Citizenship

Switzerland

Residence:

Menlo Park, California

P.O. Address:

1048 Oakland Avenue
Menlo Park, California 94025

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matter which is claimed and for which a United States patent is sought on the invention entitled

HUMAN SMN-LIKE PROTEIN

the specification of which:

 / is attached hereto.

 X / was filed on May 15, 2000 as application Serial No. 09/571,078 and if this box contains
an X /, was amended on _____.

 / was filed as Patent Cooperation Treaty international application No. _____ on
_____, 2002, if this box contains an X /, was amended on under Patent Cooperation Treaty
Article 19 on _____ 2002, and if this box contains an X /, was amended on _____.

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patent or inventor's certificate and Patent Cooperation Treaty international application(s)
designating at least one country other than the United States for the same subject matter and
having a filing date before that of the application for said subject matter the priority of which is
claimed:

Country	Number	Filing Date	Priority Claimed
_____	_____	_____	// Yes // No
_____	_____	_____	// Yes // No

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respectively and individually, as my patent attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please address all communications to:

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3160 PORTER DRIVE, PALO ALTO, CA 94304

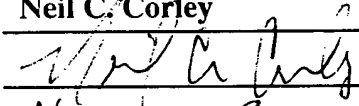
TEL: 650-855-0555 FAX: 650-849-8886 or 650-845-4166

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**Sole Inventor or
First Joint Inventor:**

Full name: Y. Tom Tang
Signature: _____
Date: _____, 2001
Citizenship: United States of America
Residence: San Jose, California
P.O. Address: 4230 Ranwick Court
San Jose, California 95118

Second Joint Inventor:

Full name: Neil C. Corley
Signature: 
Date: NOVEMBER 9, -, 2001
Citizenship: United States of America
Residence: Castro Valley, California
P.O. Address: 20426 Crow Creek Rd.
Castro Valley, California 94552

Third Joint Inventor:

Full name:	<u>Karl J. Guegler</u>
Signature:	<u></u>
Date:	<u>, 2001</u>
Citizenship	<u>Switzerland</u>
Residence:	<u>Menlo Park, California</u>
P.O. Address:	<u>1048 Oakland Avenue</u> <u>Menlo Park, California 94025</u>

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
 Box Non-Fee Amendment, Commissioner for Patents, Washington, D.C. 20231 on October 21, 2002.
 By: [Signature] Printed: Katherine Stofer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tang et al.

Title: HUMAN SMN-LIKE PROTEIN

Serial No.: 09/571,078

Filing Date: May 15, 2000

Examiner: Allen, M.

Group Art Unit: 1631

Box Non-Fee Amendment

Commissioner for Patents

Washington, D.C. 20231

**CERTIFICATE UNDER 37 C.F.R. §3.73(b),
 REVOCATION OF POWER OF ATTORNEY AND
 APPOINTMENT OF NEW ATTORNEYS**

Sir:

The undersigned has reviewed all the documents in the chain of title of the above-identified patent application and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

Incyte Genomics, Inc., formerly known as Incyte Pharmaceuticals, Inc., having a principal place of business located at 3160 Porter Drive, Palo Alto, California 94304, certifies that it is the assignee and owner of the entire right, title and interest in, to, and under the invention described and claimed in the above-identified application by virtue of an Assignment recorded at Reel To be assigned, Frame To be assigned, hereby revokes all previous powers of attorney and appoints the following patent attorneys/agents:

Lucy J. Billings	Reg. No. 36,749
Jenny Buchbinder	Reg. No. 48,588
Michael C. Cerrone	Reg. No. 39,132
Diana Hamlet-Cox	Reg. No. 33,302
Joel Harris	Reg. No. 44,743
Richard C. Ekstrom	Reg. No. 37,027
Barrie D. Greene	Reg. No. 46,740
Lori L. Kerber	Reg. No. 41,113
Lynn E. Murry	Reg. No. 42,918
Shirley A. Recipon	Reg. No. 47,016
Cathleen M. Rocco	Reg. No. 46,172
Susan K. Sather	Reg. No. 44,316
Michelle M. Stempien	Reg. No. 41,327
David G. Streeter	Reg. No. 43,168
Sreenivasarao Vepachedu	Reg. No. 46,395
James M. Verna	Reg. No. 33,287
Yu-Mei Eureka Wang	Reg. No. 50,510

Please direct all correspondence to:

Legal Department
Incyte Genomics, Inc.
3160 Porter Drive
Palo Alto, California 94304

and direct all telephone calls and facsimile transmissions to: Diana Hamlet-Cox, Incyte Genomics, Inc.,
Phone: (650) 845-4639, Fax: (650) 849-8886 or (650) 845-4166.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

INCYTE GENOMICS, INC.

Date: October 21, 2002

By: Lee Bendekgey
Lee Bendekgey
VP, General Counsel/Corporate Secretary

Certificate of Mailing

"Certificate of Express Mail" mailing label number EV 332 012 666 US I hereby certify that this document and referenced attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to: Mail Stop: Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 8, 2003. By: Nancy Ramos Printed: Nancy Ramos

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tang et al.

Title: HUMAN SMN-LIKE PROTEIN

Serial No.: To Be Assigned

Filing Date: Herewith

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

Mail Stop: Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 C.F.R. §3.73(b),
REVOCATION OF POWER OF ATTORNEY AND
APPOINTMENT OF NEW ATTORNEYS**

Sir:

The undersigned has reviewed all the documents in the chain of title of the above-identified patent application and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

Incyte Corporation, formerly known as Incyte Genomics, Inc., also formerly known as Incyte Pharmaceuticals, Inc., having a principal place of business located at 3160 Porter Drive, Palo Alto, California 94304, certifies that it is the assignee and owner of the entire right, title and interest in, to, and under the invention described and claimed in the above-identified application by virtue of an Assignment recorded at Reel 013178, Frame 0785, hereby revokes all previous powers of attorney and appoints the following patent attorneys/agents:

Lucy J. Billings	Reg. No. 36,749
Jenny Buchbinder	Reg. No. 48,588
Diana Hamlet-Cox	Reg. No. 33,302
Joel Harris	Reg. No. 44,743
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David G. Streeter	Reg. No. 43,168
James M. Verna	Reg. No. 33,287
Yu-Mei Eureka Wang	Reg. No. 50,510

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Legal Department
Incyte Corporation
3160 Porter Drive
Palo Alto, California 94304

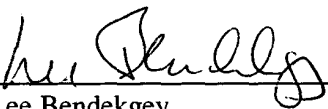
and direct all telephone calls and facsimile transmissions to: Legal Department, Incyte Corporation Phone: (650) 855-0555, Fax: (650) 845-4166.

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INCYTE CORPORATION

Date: September 8, 2003

By: 
Lee Bendekgey
VP, General Counsel/Corporate Secretary

**Department of Energy**

Washington, DC 20585

MAR 3 2003

Mr. Michael Carone
Office of Licensing and Review
U.S. Patent and Trademark Office
Technology Group 3600
Crystal Park 5
Arlington, Virginia

Re: Blanket Exemption from Requirements Under §42 U.S.C. 2182 for Incyte
Genomics, Inc.

Dear Mr. Carone:

The U.S. Department of Energy (DOE) wished to grant Incyte Genomics, Inc. (Incyte) a blanket exemption from the requirements under §42 U.S.C. 2182 for their patent applications disclosing inventions involving radionuclides. This blanket exemption is granted based on assertions set forth in Incyte's letter to DOE dated February 25, 2003. No blanket exemption is granted from the requirements of any other statute, including the security review statute, §42 U.S.C. 2181.

This blanket exemption will be effective from the date of this letter for one (1) calendar year (the "Blanket Exemption Period"), and covers all Incyte patent applications now pending before the U.S. Patent and Trademark Office and will cover all Incyte patent applications filed within the Blanket Exemption Period. Therefore, the Blanket Exemption Period ends on February 26, 2004. For the Blanket Exemption Period, Incyte will include a copy of this letter with all applicable applications. This blanket exemption may be renewed for successive one (1) year periods upon Incyte's request, subject to DOE approval. DOE will notify your office in writing of such renewals, if granted.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul A. Gottlieb".

Paul A. Gottlieb
Assistant General Counsel
for Technology Transfer
and Intellectual Property
(202) 586-2802

